

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

**KATHERINE E. WEAVER,  
Plaintiff,**

v.

**JO ANNE B. BARNHART,  
Commissioner of Social Security,  
Defendant.**

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**CIVIL NO. 3:05CV293**

**ORDER OF REMAND  
PURSUANT TO SENTENCE SIX OF 42 U.S.C. § 405(g)**

The United States of America, by counsel, has moved this Court, pursuant to sentence six of 42 U.S.C. § 405(g), to enter an order remanding this case to the Commissioner for further administrative proceedings. *See Melkonyan v. Sullivan*, 501 U.S. 89, 101 n.2 (1991); *Shalala v. Schaefer*, 113 S.Ct. 2625, 2629 n.2. (1993). The Commissioner requests voluntary remand of the claim and, it appearing that the plaintiff has consented, good cause exists to support this request for remand.

On remand, the Administrative Law Judge (ALJ) will update plaintiff's medical records and conduct a supplemental administrative hearing for the purpose of obtaining medical expert testimony. The ALJ will then issue a new decision based on the total record.

THEREFORE IT IS ORDERED that, pursuant to sentence six of 42 U.S.C. § 405(g), this case is remanded to the defendant Commissioner. No judgment shall be entered in this matter at this time.

This the 21 day October, 2005.

  
GRAHAM C. MULLEN  
CHIEF UNITED STATES DISTRICT JUDGE